GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Acid Attacks – The Hon'ble Supreme Court of India final orders in W.P(Crl) No.129 of 2006 - Private Hospitals/Government Hospitals should not refuse the treatment to Victims of Acid Attacks – Instructions - Issued - Reg.

HEALTH MEDICAL & FAMILY WELFARE (I.1) DEPARTMENT

G.O.MS.No. 106 **Dated:27/08/2015.**

Read the following:-

1. From the Hon'ble Supreme Court of India order dt. 18.7.2013 in W.P(Crl) No.129 of 2006.
2. G.O.Ms.No.131, HM&FW(I.1) Dept., Dt:13-10-2014.
3. From the Joint Secretary (CS) Lr.No.15011/66/2012-SC/ST-W. Ministry of Home Affairs, dated:26.02.2015.
4. G.O.Ms.No.43, Home (Courts-B) Dept, dated:15.04.2015.
5. From the Hon'ble Supreme Court of India orders, dt. 10.04.2015 in W.P (Crl).No.129 of 2006.

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O R D E R :

The Hon'ble Supreme Court of India in its case W.P. (Crl.) 129 of 2006 Laxmi, Vs. U.o.I and States and UTs concerning a PIL filed by a girl who was an acid attack survivor and who wanted an end to such attacks, has given certain directions to regulate the sale of Acids/ corrosive substances. As per the directions of the Hon'ble Supreme Court of India in its orders 1st read above, the Ministry of Home Affairs, Government of India have issued instructions to all State Governments / UTs to frame rules under the Poison Act / issuing notification and regulating its sale etc., under Section 5 of Poison Act read with Section 2(1) & 2(a) as the State Governments are empowered to do so, and also issued draft model poison rules 2013.

2. In the Government orders 2nd read above, based on the said draft model rules, the Government of Andhra Pradesh has prepared / framed draft rules and issued Preliminary Notification. The salient features of rules include elaborated licensing procedure for grant/ renewal of license duration of license, action of licensing authority, termination of license, record maintenance, disposal of acids, poisons after termination of license, cancellation of license, power to inspect poisons and registers, restriction on sale of poison, stocking of acids under lock and key, labeling and packing, indications on labels, SOPs for incident management and storage of acids/corrosive substances, penalties etc.,.

3. In the letter 3rd read above, a meeting was convened on 14.03.2015 by the Secretary in the ministry of Home affairs, GOI and the secretary in the Ministry of Health & Family Welfare, Government of India with all the Chief Secretaries / their Counter Parts in the States/UTs.

4. In the Government order 4th read above, the Home (Courts-B) Dept have issued Notification regarding the Andhra Pradesh Victim Compensation Scheme 2015 under Section 357-A of the Code of Criminal Procedure.

5. The Hon'ble Supreme Court of India have issued final orders in its orders 5th read above to comply with the certain directions to all State Governments/ Uts.

6. Based on the above direction and after careful examination of the matter, Government hereby issue the following instructions to all the Private Medical Care Establishments / Hospitals with regard to treatment to acid attack victims :-

P.T.O.,

a) No hospital/clinic should not refuse treat to the victims of acid attacks.

b) First aid must be administered to the victim and after stabilization, the victim/patient could be shifted to a specialized facility for further treatment, wherever required.

c) All the private Hospitals should not refuse treatment to victims of acid attack and that full treatment should be provided to such victims including medicines, food, bedding and reconstructive surgeries**.**

d) Where the victim of an acid attack is first treated, should give a certificate that the individual is a victim of an acid attack. This certificate may be utilized by the victim for treatment and reconstructive surgeries or any other scheme that the victim may be entitled to with the State Government or the Union Territory, as the case may be.

e) In the event of any specific complaint against any private hospital or government hospital, the acid attack victim will, of course, be at liberty to take further action.

f) Action may be taken against hospital/clinic for refusal to treat victims of acid attacks and other crimes in contravention of the Provisions of Section 357C of the Code of Criminal Procedure, 1973.

g) The DME is hereby permitted to convey a meeting with private hospital authorities to implement the above rules.

7. The Commissioner of Family Welfare, Director of medical Education, Director of Health, Commissioner of APVVP requested to take necessary action and also to convey the above instructions to Private Hospitals/Government Hospitals / Institutions under their control.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

POONAM MALAKONDAIAH
PRINCIPAL SECRETARY TO GOVERNMENT

To
All HODs under Administrative control of HM&FW Department.
All DM&HO / Hospital Superintendents, Andhra Pradesh.
The Director General of Police, A P., Hyderabad.
The Member Secretary, Andhra Pradesh State Legal Service authority,
City Civil Court, Hyderabad .
All Chairman / Secretaries, District Legal Service Authorities in the State of
Andhra Pradesh.
All District Collectors, Andhra Pradesh.
All the Superintendents of Police, Andhra Pradesh
Copy to:
The Home Department, AP, Secretariat, Hyderabad.
The Joint Secretary (CS), Ministry of Home Affairs,
Nirman Bhavan, New Delhi-1100001.
The Special Officer, O/o the Advocate – On record, for AP No.1,
Ashok Road, AP Bhavan, New Delhi-1100001.
The Private Secretary to Prl. Secretary to Chief Minister, AP Secretariat, Hyderabad.
The PS to Chief Secretary to Government, AP Secretariat, Hyderabad.
SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER